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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,780	12/09/2003	Shawn Close	200311406-1	4827

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EXAMINER

FERGUSON, MARISSA L

ART UNIT PAPER NUMBER

2854

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/730,780

Applicant(s)

CLOSE ET AL.

Examiner

Marissa L. Ferguson-Samreth

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-14 is/are allowed.
- 6) ☒ Claim(s) 15-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strobl (US Patent 5,360,274) in view of Adachi et al. (JP 403103614).

Strobl teaches a motor (Column 5, Lines 230-24) and a rotatable shaft operatively coupled to the motor, the shaft having a spherical bearing member (1) supported inside and rotatable against a cylindrical bearing ring (element 11 and Column 5, Lines 46-53). However, he does not explicitly disclose a roller affixed to a shaft. Adachi et al. teaches an apparatus with a roller (4) supported by a bearing (7) via a shaft (5). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention as taught by Strobl to include a roller as taught by Adachi et al., since Adachi et al. teaches that a roller is advantageous to facilitate with the ease of rotation of a rotating body.

2. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strobl (US Patent 5,360,274) in view of Eustache (US Patent 5,809,610) and Adachi et al. (JP 403103614).

Strobl teaches a motor (Column 5, Lines 230-24) and a rotatable shaft operatively coupled to the motor, the shaft having a spherical bearing member (1)

supported inside and rotatable against a cylindrical bearing ring (element 11 and Column 5, Lines 46-53). However, he does not explicitly disclose a second spherical journal on a second part of a shaft, a second cylindrical bearing supporting the second journal and a roller affixed to the shaft. Eustache teaches a first spherical bushing (40) on a first part of a spindle (4) and a second spherical bushing (42) on a second part of a spindle. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention as taught by Strobl to include a second journal and bearing since Eustache teaches that two bearing points are advantageous to easily vary and rotate the shaft about an axis.

Eustache does not teach a roller affixed to the shaft. Adachi et al. teaches an apparatus with a roller (4) supported by a bearing (7) via a shaft (5). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention as taught by Strobl to include a roller as taught by Adachi et al., since Adachi et al. teaches that a roller is advantageous to facilitate with the ease of rotation of a rotating body.

Allowable Subject Matter

3. Claims 9-14 are allowed.
4. The following is a statement of reasons for the indication of allowable subject matter: Regarding claims 9 and 14, the prior art does not teach or render obvious a printer and/or sheet media feed mechanism comprising bearings mounted to the chassis and supporting the shaft, each having a cylindrical inner bearing surface and

the shaft having a spherical journal surface inside and rotatable against each bearing surface.

Response to Arguments

5. Applicant's arguments filed 4/5/06 have been fully considered but they are not persuasive. In response to applicant's argument on page 5 that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Strobl teaches a bearing member with an inner cylindrical part that can receive a rotatable shaft and Adachi et al. teaches a shaft with a roller. Therefore, it would be well within the skill of the art to place the shaft with a roller from Adachi et al. to be received into the inner cylindrical part of the bearing as taught by Strobl thereby providing a rotatable shaft.

6. In response to applicant's arguments on page 6, top paragraph, the examiner notes that there is a clearance space 13 between the outer surface 3 of bearing member 1 and inner portion 12 of the support ring 11. Therefore, the support ring 11 does limit movement, however, there would still be some type of radial and/or axial movement of the bearing member 1 with support ring 11.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa L. Ferguson whose telephone number is (571) 272-2163. The examiner can normally be reached on (M-T) 6:30am-4:00pm and every other(F) 7:30am-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marissa L Ferguson-Samreth
Examiner
Art Unit 2854

MFS

A handwritten signature in black ink, appearing to read "Daniel J. Colilla", with a stylized flourish at the end.

Daniel J. Colilla
Primary Examiner
Art Unit 2854